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*Attorneys for Plaintiffs and the Proposed Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ERIN ALLEN, TYOKA BRUMFIELD,  
OFELIA FRECHETTE, SHELLEY  
HARDER, DEANA MARR, TAMMIE  
SHAWLEY, BRIAN SMITH, AND  
BETTY VAZQUEZ, on behalf of  
herself and all others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS INC., a Delaware  
corporation,

Defendant.

Case No. 3:13-CV-01279-WHO

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO  
MODIFY PRETRIAL  
SCHEDULE**

Honorable Judge William H. Orrick  
Dept.: Courtroom 2, 17th Floor

1 Plaintiff Erin Allen, on behalf of herself and all others similarly situated  
2 (collectively, “Plaintiffs”) and Defendant Conagra Brands Inc. (f/d/b//a Conagra  
3 Foods Inc.) (“Defendant,” and together with Plaintiffs, the “Parties”), through  
4 their respective undersigned counsel, hereby respectfully submit the following  
5 Joint Stipulation and (Proposed) Order to Modify the Court’s February 18, 2020  
6 Pretrial Scheduling Order.

7 **STIPULATION**

8 WHEREAS, the Court issued a Pretrial Scheduling Order on February 18,  
9 2020 (ECF No. 286);

10 WHEREAS, the Court’s Scheduling Order, dated February 18, 2020,  
11 requires the Parties to complete expert discovery by April 31, 2020<sup>1</sup>;

12 WHEREAS, the Parties have diligently pursued discovery and tentatively  
13 scheduled several expert depositions;

14 WHEREAS, the unexpected, widespread pandemic of COVID-19 has led  
15 to shelter-in-place orders, travel bans, and quarantine measures in geographic  
16 regions directly affecting counsel and expert witnesses that frustrate the purpose  
17 of scheduled and planned depositions;

18 WHEREAS, the unknown nature of the spread and severity of COVID-19  
19 continues to shift the landscape in terms of the availability of the Parties and the  
20 proposed experts to travel and appear at depositions, even via telephone or  
21 videoconference, and would require witnesses and counsel to place both their own  
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25 <sup>1</sup> Please note, April 31, 2020 is not a recognized calendar date and the Parties  
26 respectfully request that this original deadline be amended to May 1, 2020.

1 health and public health at risk by violating shelter-in-place orders;

2 WHEREAS, the Parties agree that good cause exists to extend all  
3 remaining deadlines in the Court Scheduling Order, dated February 18, 2020  
4 (ECF No. 286), for at least 30 days as follows:

	Current Date:	New Date:
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<sup>2</sup> April 31<sup>st</sup> is not an existing calendar date, and has been treated as May 1<sup>st</sup>.

<sup>3</sup> The proposed trial date was extended an additional week by agreement of counsel to separate it from the Thanksgiving holiday.

1 STIPULATED AND AGREED:

2 Date: March 18, 2020

3  
4 /s/Anthony J. Patek

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23 *Plaintiff Erin Allen*

24 /s/Andrew Phillips/

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*Attorneys for*

*Conagra Foods, Inc.*

27 **ATTESTATION OF COMPLIANCE**

28 I, Anthony J. Patek, am the ECF user whose ID and password are being  
29 used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby  
30 attest that Andrew Phillips concurred in this filing.

31 /s/ Anthony J. Patek/

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NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ERIN ALLEN, TYOKA BRUMFIELD,  
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BETTY VAZQUEZ, on behalf of  
herself and all others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS INC., a Delaware  
corporation,

Defendant.

Case No. 3:19-CV-01279-WHO

**[PROPOSED] ORDER**

Honorable Judge William H. Orrick  
Dept.: Courtroom 2, 17th Floor

**[PROPOSED] ORDER**

Based on the Parties' Stipulation to Modify Pretrial Scheduling Order, and  
good cause appearing:

The deadlines are extended as follows:

	Current Date:	New Date:
Expert Rebuttal	April 1, 2020	May 1, 2020
Expert Discovery Cutoff	April 31, 2020 <sup>4</sup>	June 1, 2020
Dispositive Motions Heard	June 24, 2020	July 24, 2020
Pretrial Conference	October 13, 2020 2:00 p.m.	November 12, 2020 2:00 p.m.
Trial	November 2, 2020 8:30 a.m. by Jury	December 9, 2020 8:30 a.m. by Jury

<sup>4</sup> April 31<sup>st</sup> is not an existing calendar date, and has been treated as May 1<sup>st</sup>.

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IT IS SO ORDERED.

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HON. WILLIAM H. ORRICK  
United States District Court Judge

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